

**CHIROPRACTIC EXAMINING BOARD
MEETING MINUTES
MARCH 29, 2012**

Present: Wendy Henrichs, John Church, Jodi Griffith, James Koshick

Present by Teleconference: Mania Moore & Kathleen Schneider

Staff: Kelli Kaalele, Acting Executive Director; Yolanda McGowan, Legal Counsel; Michelle Solem, Bureau Assistant; and other Department staff

Wendy Henrichs, Board Chair, called the meeting to order at 8:42 a.m. A quorum of 6 members was confirmed.

ADOPTION OF AGENDA

MOTION: James Koshick moved, seconded by Jodi Griffith, to adopt the agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES

MOTION: Mania Moore moved, seconded by Jodi Griffith, to approve the minutes of January 26, 2012 as published. Motion carried unanimously.

EXECUTIVE DIRECTOR MATTERS

Kelli Ka'alele introduced herself as the interim Executive Director.

**PRESENTATION OF PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS
BY THE DIVISION OF ENFORCEMENT**

Attorney, Susan Gu, from the Division of Enforcement provided presentations related to the following Stipulations, Final Decisions and Orders:

1. 10 CHI 055
2. 11 CHI 016

BOARD DISCUSSION

1. **EDUCATION AND EXAMINATION MATTERS**

- a. Update Relative to Practical Examination Development
Wendy Henrichs indicated that the exam is complete and the first exam will happen in about 3 weeks. All items are in place to test the first 4 applicants.
- b. 2013 Chiropractic Licensure Exam Dates
Wendy Henrichs told the Board that the exam workgroup is working with the Office of Education and Exams with regard to the practical exam. It was determined that the 2013 exam dates will be April 18-19 and October 17-18 with training on April 17 and October 16.

2. **CREDENTIALING MATTERS**

- a. CT/CRT Minimum Age Requirements
Wendy Henrichs indicated that she has received several inquiries relative to age requirements for CT/CRT. Yolanda McGowan suggested that the minimum requirements could be 1) a high school graduate or equivalent and 2) at least 16 years of age. Yolanda McGowan shared language based on a previous discussion and it was

decided that the rule needed to include language relative to the high school graduate or equivalent requirement.

The Board briefly discussed the course of study necessary for CT/CRT. It was decided that in order to ensure consistency, the Board needed to develop minimum requirements. Discussion relative to the minimum requirements for CT/CRT will be included on the the next agenda.

PRACTICE QUESTION MATTERS

b. HCG Discussion

Wendy Henrichs indicated that she has received several brochures advertising seminars related to nutrition and more specifically HCG being used for weight loss. She noted that the FDA has published information indicating that HCG is ineffective relative to weight loss. The Board decided to issue a PFAQ stating the facts from the FDA website.

3. **LEGISLATION/ADMINISTRATIVE RULE MATTERS**

a. Discussion and Action Related to 2011 Senate Bill 453 Related to General Department Responsibilities

Yolanda McGowan indicated that this bill was a “modernization bill” to update items that have impacted many boards. Some major changes include the following: all convictions for all licensees must be reported to the Department within 48 hours of conviction; each Board can determine if they will allow their licensee to voluntarily surrender their license in order to avoid discipline and that the Department authority over unlicensed practice has been strengthened.

CLOSED SESSION

MOTION: Mania Moore moved, seconded by John Church, to convene to closed session to deliberate on cases following hearing (s. 19.85(1) (a), Stats.; consider closing disciplinary investigation with administrative warning (s. 19.85(1)(b), Stats. and 440.205, Stats., to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.; and, to confer with legal counsel (s. 19.85(1)(g), Stats.). Roll Call Vote: John Church - yes; Jodi Griffith - yes; Wendy Henrichs - yes; James Koshick - yes; Mania Moore - yes; Kathleen Schneider – yes. Motion carried unanimously. Open session recessed at 9:56 a.m.

RECONVENE TO OPEN SESSION

MOTION: Jim Koshick 12:14 p.m. Motion carried unanimously.

VOTING ON ITEMS CONSIDERED/DELIBERATED IN CLOSED SESSION

PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS

MOTION: James Koshick moved, seconded by John Church, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order, in the matter of 10 CHI 055 – Gary W. Hutchinson. Motion carried unanimously.

MOTION: John Church moved, seconded by Jodi Griffith, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order, in the matter of 11 CHI 016 – Danny B Futch. Motion carried unanimously.

CASE CLOSINGS

MOTION: John Church moved, seconded by Jodi Griffith, to close the following cases according to the recommendations by the Division of Enforcement:

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|----|-----------------|----|-----------------|
| a. | 10 CHI 033 (P6) | d. | 11 CHI 001 (IE) |
| b. | 10 CHI 043 (IE) | e. | 11 CHI 050 (P7) |
| c. | 10 CHI 047 (NV) | | |

Motion carried unanimously.

MOTION: John Church moved, seconded by Jodi Griffith, to close case 11 CHI 053 for No Violation. Mania Moore voted in opposition.

ADMINISTRATIVE WARNINGS

MOTION: Mania Moore moved, seconded by John Church, to issue the Administrative Warning in the matter of 11 CHI 041. Motion carried unanimously.

MONITORING

MOTION: Mania Moore moved, seconded by Jodi Griffith, to grant reinstate of licensure James Schiavo, D.C., effective immediately. Motion carried unanimously.

APPLICATION MATTERS

MOTION: James Koshick moved, seconded by Jodi Griffith, to deny chiropractic technician licensure to Tina Moen and Michelle Venske. Motion carried unanimously.

MOTION: Jodi Griffith moved, seconded by John Church, to grant endorsement licensure to Jennifer Dotto. Motion carried unanimously.

MOTION: Jodi Griffith moved, seconded by John Church, to deny preceptorship to Randal Arnold. Motion carried unanimously.

MOTION: Jodi Griffith moved, seconded by John Church, to grant preceptorship to Curt Draeger. Motion carried unanimously.

CONTINUING EDUCATION MATTERS

MOTION: Jodi Griffith moved, seconded by John Church, to deny a request for a waiver of continuing education requirements to R.S. Motion carried unanimously.

The CE waiver request received from S.T. was tabled.

Wendy Henrichs authorized Kelli Kaalele to sign the Schiavo order on her behalf.

ADJOURNMENT

MOTION: Jim Koshick moved, seconded by Jodi Griffith, to adjourn the meeting at 12:18 p.m. Motion carried unanimously.